

UNITED STATES BANKRUPTCY COURT

FOR THE

**EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In the Matter of:

SYED ASKRI

Debtor

Chapter 13

Case No. 15-11267-RGM

OBJECTION TO CONFIRMATION OF PLAN,
NOTICE OF OBJECTION TO CONFIRMATION OF PLAN
AND
NOTICE OF SCHEDULED HEARING ON THIS OBJECTION

Thomas P. Gorman, Chapter 13 Trustee, has filed this objection to confirmation of your Chapter 13 Plan filed July 8, 2015. The cause for this objection is as follows:

Violation of 11 U.S.C. §1325(a)(6) – Feasibility & 11 U.S.C. §1325(a)(3) – Good Faith

- Trustee is unable to verify Debtor's claimed household income of \$16,500.00 per month on his Schedule I as his 2014 income tax returns reflect an annual income of only \$22,900.00 for that entire year.
- Debtor would be in immediate default on payments if his proposed Plan were to be confirmed as Debtor has not made the full monthly payment amount for months 1 and 2 of his Plan.
- Debtor lists the mortgage arrearage claim of U.S. Bank (1st deed of trust) and M&T Bank (2nd deed of trust) under Section 5A of the Plan as secured claims to be cured and retained under the Plan. Debtor has simultaneously provided for both his first and second deeds of trust to be treated under Section 6A of the Plan (executory contracts and unexpired leases to be rejected), as well as under Section 7B of the Plan as liens to be avoided on the grounds of "incorrect accounting."
- The Debtor has not filed any claim objections by July 25, 2015, as directed by the Court at the conclusion of the hearing on Trustee's Motion to Dismiss on June 24, 2015. Debtor has neither objected to the filed mortgage arrearage claims nor fully provided for such claims in his Plan.

Notice of Objection To Confirmation

Syed Askri, Case # 15-11267-RGM

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must mail a copy to the persons listed below.

Attend the hearing to be held on August 13, 2015 at 9:30 a.m., in Courtroom 1 on the 2nd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, VA 22314. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste, 400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: July 31, 2015

/s/Thomas P. Gorman

Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

Notice of Objection To Confirmation

Syed Askri, Case # 15-11267-RGM

CERTIFICATE OF SERVICE

I hereby certify that I have this 31th day of July, 2015, served via ECF to authorized users or mailed a true copy of the foregoing Objection to Confirmation, Notice of Objection and Notice of Hearing to the following parties.

Syed Askri
Chapter 13 Debtor
23367 Kerrisdale Way
Sterling, VA 20166

Bobbie U. Vardan
Attorney for Debtor
PO Box 25
Great Falls, VA 22066

____/s/ Thomas P. Gorman_____
Thomas P. Gorman